

Remarks

The following remarks are responsive to the August 16, 2005, Office Action.

This response includes amendment to the specification that correct typographical errors and incorrectly identified element numbers in the original specification. No new matter is added.

In the Office Action the Examiner rejected claims 12-20 and 25-28 under 35 U.S.C. § 112, second paragraph. Claim 17 was also rejected as lacking a proper antecedent basis. Claims 1-3, 6-15 and 17-19 were also rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,019,682 (Hare). Additionally, claims 4, 5, and 16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hare. Finally, claims 1-31 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 3,733,936 (Flynn).

The Claim Rejections Under 35 U.S.C. § 112, second paragraph

The reasoning provided by the Examiner in support of the rejection of claims 12 and 25 suggest that the Examiner believes that the ramped surface called for in claim 1 must be either on the floor or ceiling of the cavity as opposed to a cylindrical wall. Although the Applicant disagrees with this contention, claims 12, 14, and 15 as amended, eliminate the requirement that the floor and ceiling surfaces be generally planner. These amendments do not in any way concede that the location of the at least one ramped surface of the second cavity is limited to either the floor or ceiling surface.

In view of the amendment to claim 12, the Applicant believes that claims 12-16 do not eliminate or remove a limitation in the parent claim. For this reason, the Applicant requests that the Examiner withdraw the rejection of claims 12-16 under 35 U.S.C. § 112, second paragraph.

In regard to claims 17-19, claim 17, as amended, depends from claim 1 and identifies the at least one contact introduced in claim 1 as moving from contact on the first ramped surface to the second ramped surface. This amendment overcomes the lack of an antecedent with respect to the biasing member identified by the Examiner. For this reason that the Applicant requests that the Examiner withdraw the rejection of claim 17 under 35 U.S.C. § 112, second paragraph, and allow the claim and its dependent claims 18 and 19 to issue.

Claim 20 is an independent claim. As such, the Applicant does not understand the basis for the rejection of the claim under 35 U.S.C. §112, second paragraph and ask that the Examiner withdraw the rejection.

Claims 25, 26, and 27 are amended in the same fashion as claims 12, 14, and 15. Once again, these amendments do not in any way concede that the at least one ramped surface of the second cavity is limited to either the floor or ceiling surface. The Applicant requests that the Examiner withdraw the rejection of claims 25-28 under 35 U.S.C. § 112, second paragraph, for the same reason cited with respect to claims 12-16.

The Claim Rejections Under 35 U.S.C. § 102(b)

Claim 1, as amended, is directed to a ratchet mechanism for a wrench that includes a biasing mechanism that has a coil spring that is positioned within a bore in the pawl and one contact adjacent to the coil spring. Hare does not disclose such a structure. Instead, Hare discloses a tightly wound helical coil spring 30 positioned between pawl 24 and pin 28.¹ Furthermore, the coil spring in Hare does not have at least one contact that is adjacent to the spring and urged toward the ramped surface of the cavity. For this reason, claim 1, as amended, is not anticipated by Hare and the Applicant requests that the Examiner withdraw the rejection of claims 1-3, 6-15, and 17-19 under 35 U.S.C. § 102(b) and allow the claims to issue.

The Claim Rejections Under 35 U.S.C. § 103(a)

Claims 4, 5, and 16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hare. Claims 4, 5, and 16 all depend from claim 1 which, as amended, requires a biasing mechanism that includes a coil spring that is positioned within a bore in the pawl and one contact adjacent to the coil spring.

Although Hare discloses a coil spring 30 positioned between a pawl 24 and a pin 38, nothing in Hare teaches or suggests enclosing the coil spring within the pawl 24 as is called for in amended claim 1. For this reason, the ratchet mechanism of claim 1, as amended, is not rendered obvious by Hare and the Applicant requests that the Examiner withdraw the rejection of claims 4, 5, and 16 and allow the claims to issue.

¹ U.S. Patent No. 3,019,682 (Hare), col. 2, ll. 22-23.

With respect to the rejection of claims 1-31 as being unpatentable over Flynn, once again, claim 1, as amended, requires that the biasing mechanism include a coil spring positioned within a bore in the pawl. This structure is not taught or suggested by Flynn.

Flynn discloses a stabilizing pin 32 that has a rounded or ball end 33 that is biased by a flexible coil spring 36. This stabilizing pin 32 contacts the curved under surface and channels 30 and 31 of locking member 27 (i.e., the pawl).² Neither of the two embodiments disclosed in Flynn suggest that the stabilizing pin 32, 132 could be positioned within a bore in the locking mechanism 27, 127. For this reason, the Applicant requests that the Examiner withdraw the rejection of claims 1-31 under 35 U.S.C. § 103(a) and allow the claims to issue.

The application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



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² U.S. Patent No. 3,733,936 (Flynn), col. 3, ll. 32-35.

In re Appln. of John Andrew Larson
Application No. 10/757,659
Response to Office Action of August 16, 2005



CERTIFICATE OF MAILING

I hereby certify that this RESPONSE TO OFFICE ACTION OF AUGUST 16, 2005 (along with any documents referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Date: November 17, 2005

A handwritten signature in cursive script, reading "I. Mikitiouk".

Irina L. Mikitiouk

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